

From: [Tsiamis, Christos](#)
To: [Katia Kelly](#)
Cc: [Loney, Natalie](#); [Carr, Brian](#); [Shore, Berry](#)
Subject: FW: Senator's office inquiries regarding retention tank location at upper Gowanus
Date: Thursday, October 08, 2015 12:27:32 PM

This is a repeat of my last e-mail copying EPA personnel that were included in all previous communications with you on the matter.

Christos Tsiamis

From: Tsiamis, Christos
Sent: Thursday, October 08, 2015 12:24 PM
To: 'Katia Kelly' <pardonmeinbrooklyn@gmail.com>
Subject: FW: Senator's office inquiries regarding retention tank location at upper Gowanus

Dear Katia,

As per my previous e-mail, this is EPA's response to the inquiry that we received from Senator's Schumer's office.

Sincerely,

Christos Tsiamis
Senior Project Manager
New York Remediation Branch
USEPA
290 Broadway, 20th Floor
New York, NY 10007

(212)637-4257

From: Shore, Berry
Sent: Thursday, October 01, 2015 10:19 AM
To: Tsiamis, Christos <Tsiamis.Christos@epa.gov>
Subject: FW: Senator's office inquiries regarding retention tank location at upper Gowanus

From: Shore, Berry
Sent: Wednesday, September 30, 2015 4:55 PM
To: 'nicholas_martin@schumer.senate.gov' <nicholas_martin@schumer.senate.gov>
Subject: Senator's office inquiries regarding retention tank location at upper Gowanus

Nick:

Below is note that the Gowanus project manager Christos forwarded to me that responds to the questions you raised.

I ask that you do not forward this on.

NYC has made several arguments regarding the location of the tanks, both technical and legal, and we have reviewed all of their submittals and presentations. EPA's technical and legal teams still have serious concerns about the thoroughness of NYC's analysis of the issues.

On the technical side, for example, EPA has commented on the inappropriate evaluation of the two candidate sites but NYC has not yet formally addressed EPA's comments. In addition, following the Unilateral Order, EPA expected NYC to submit by June 30, 2015, the Preliminary Design (PD) for both tank locations that were being evaluated. To date, NYC has only submitted the PD for only one location (the one adjacent to the canal). It is our understanding that NYC will be submitting the PD for the second location in the next 5-6 weeks. In addition, NYC has not submitted several technical items required by the Unilateral Order for our review. Finally, regarding the groundwater modeling referred to in the senator's office e-mail, we have not been provided with the details of the modeling analysis. We will request it and review it.

On the legal analysis (in particular on issues of acquisition and exercise of eminent domain) by NYC, EPA's research, including conversations with NYC counsel, points to a much longer and complicated process than described in the points made by NYC and included in the senator's office e-mail. EPA's legal team has requested a meeting with NYC's legal team to further discuss the issue. NYC has yet to respond to the request for the meeting.

Finally, regarding the impacts on the Thomas Greene Park, EPA differs with NYC both on the schedule (and the associated closure of the park) and the 20% alienation of the park as a result of an above ground operational facility for the tank.

With regard the schedule, EPA believes that the park could be cleaned up within a one-year period. Immediately following the park cleanup, the tank could be constructed in the excavated area within 3 years, based on the experience for the construction of similar size storage tanks. That amounts to a 4-year park cleanup and tank construction period compared to 8-10 year period assumed by NYC in its points.

As for the alienation of 20% of land at the park, EPA believes that the operational facility included in NYC's presentations and in the preliminary plans is much bigger than required because certain equipment (such as screens) could be part of the nearby outfall infrastructure at the top of the canal. Alternately, the smaller operational facility could be placed at an adjacent property that could be acquired at a fraction of the acquisition costs for the properties proposed by NYC for the location of the tank. In another variation, as shown in the recent international architectural

competition Gowanus by Design, the operational facility could be designed in a way so as to become an extension of the park, therefore resulting in no park land alienation at all.